

court and get a warrant. That is not too much to ask, and the Director of National Intelligence has warned all of us that there are things we should be getting that we are not listening to.

The leadership does not have to bring, under this rule, this particular piece of legislation to the floor, and as I understand it, negotiations are continuing and are being much more fruitful with our colleagues in the other body. But we must, before we leave here for August break, fix this problem. It's a problem we've known about for some time and tried to work on and quietly fix. I would much prefer that these things be done quietly, but when it was clear that the law was not working, that it was not protecting Americans, and that we were not moving quickly to fix and close this intelligence gap, I decided that I needed to take action and with my colleagues push more publicly to get this fixed.

I believe it is possible here today in this House to find the consensus and something that works for our intelligence agencies to be able to listen to foreigners in foreign countries, who are using the communications systems America has built, to plot, to plan, to kill us.

I would encourage the leadership on the other side of the aisle to work constructively with the Director of National Intelligence, call him and get him up here and work this out so that we can do the right thing for our country.

Mr. HASTINGS of Florida. Madam Speaker, I would remind everyone here that this rule is to make in order a suspension day. This particular measure is not about FISA.

Madam Speaker, I'm very pleased to yield to a woman that I've worked with on the Intelligence Committee when she was the ranking member of the Intelligence Committee and that I worked on that committee with for 6 years. In this body is the distinguished chairman of the Intelligence Committee; in addition, another of my colleagues, Ms. ESHOO, Mr. TURNER, Mr. HOLT. All of us serve on that same committee that Mrs. WILSON serves on, and I rather suspect that she knows that we know that there is no prohibition that she has suggested here.

I yield 2½ minutes to the gentlewoman from California (Ms. HARMAN), the former ranking member of the House Permanent Select Committee and the now-Chair of the Subcommittee on Intelligence, Information Sharing, and Terrorism Risk Assessment of the Homeland Security Committee.

Ms. HARMAN. Madam Speaker, I thank the gentleman for yielding and commend him again for his service both on the Rules Committee and ongoing on the Intelligence Committee.

It is reassuring that the debate has quieted. As many people have said on both sides, this is a very serious subject. While we were having our break because of a computer glitch, I had the

chance to sit on the floor and talk to many colleagues on a bipartisan basis about how this Member who has studied this issue for years sees it.

I point out to colleagues that the bill that has been distributed, H.R. 3356, says on page 2, section 105(a), "a court order is not required for the acquisition of the contents of any communication between persons that are not located within the United States."

It is the intention of this bill, which will be made in order on the suspension calendar under the rule, to exempt foreign-to-foreign communications, and it is the intention, I believe, of every single person sitting here, several hundred of us, to exempt foreign-to-foreign communications from the warrant requirements of the Foreign Intelligence Surveillance Act.

What is really at issue, and I hope this will clarify the subject for some who are still wondering what it is, is whether or not we will have a court approve the parameters, the framework of this entire program, or whether we will leave the dimensions of the program and the activities under the program to the Attorney General or perhaps the Attorney General working with the Director of National Intelligence.

Some of us know the details of this program. It's a valuable program. It's very complicated, and it has many different parts. I, for one, thought that it was being regulated under the Foreign Intelligence Surveillance Act until I learned recently that the administration had chosen not to follow FISA. I think, and I would hope many on the other side would think, that we must have a legal framework around this program. No more blank checks for this Attorney General or for any future Attorneys General.

I urge approval of this rule.

Mr. SESSIONS. Madam Speaker, I would like to inquire as to how much time remains on both sides.

The SPEAKER pro tempore. The gentleman from Texas has 5½ minutes. The gentleman from Florida has 8 minutes.

Mr. SESSIONS. Madam Speaker, if I could inquire of the gentleman from Florida if he would like to run down some of his time at this time or if he's through with his speakers.

Mr. HASTINGS of Florida. Excuse me.

Mr. SESSIONS. I would like to inquire of the gentleman if he would like to get the time even and to run down with another speaker. We're a little bit ahead.

Mr. HASTINGS of Florida. Madam Speaker, I continue to reserve the balance of my time.

Mr. SESSIONS. Madam Speaker, I yield 3½ minutes to the gentleman from Michigan (Mr. HOEKSTRA), the ranking member of the Intelligence Committee.

Mr. HOEKSTRA. Madam Speaker, I thank my colleague for yielding.

As our previous colleague was talking, I think she laid it out pretty well.

Are we going to involve the courts in reviewing our foreign intelligence activities? If you take a look at the bill that is out here, it appears that the court is going to be involved in reviewing our intelligence community activities overseas. This becomes the Terrorist Protection Act, not a surveillance program.

Do we want a court reviewing our tactics and strategies for foreign intelligence or foreign individuals in foreign locations and lay it out the way that this bill wants? This is not about theory. This is about protecting the homeland, and it is about protecting our troops in Iraq, Afghanistan, and Pakistan.

Does it make sense that when a commander in the field gets the information or gets leads that may protect their soldiers that, rather than following the lead immediately, the first thing that they do is bring in the lawyers to make sure that they get that information in an appropriate and legal way on the battlefield? Is that giving our troops the tools that they need to keep themselves safe and secure and defeat the enemy?

Does it make sense when our intelligence frontline folks, whether it's in northern Africa or in the Middle East, get a lead as to individuals who may be targeting the United States, that the first thing that they need to do is get the lawyers involved to make sure that foreign intelligence is collected in an appropriate way, rather than focusing on what needs to keep us safe?

After 9/11, we spent a lot of time working together to put together an intelligence community that would, in the future, be able to connect the dots. With this bill that it looks like we're going to consider this afternoon, we won't have to worry about connecting the dots anymore because we will put the barriers in place that means that they will not even be able to collect the dots. But if you believe that this is a bumper sticker war and this is a bumper sticker threat that we face today, this bill is for you.

Take a look at the statement by the Director of National Intelligence. The Director of National Intelligence today is the same individual that served many years under President Bill Clinton as the Director of the National Security Agency. Here's what he has to say about this bill:

I have reviewed the proposal that the House of Representatives is expected to vote on this afternoon to modify the Foreign Intelligence Surveillance Act. The House proposal is unacceptable. I strongly oppose it. The House proposal would not allow me to carry out my responsibility to provide warning and to protect the Nation, especially in our heightened threat environment. I urge Members of Congress to support the legislation I provided last evening to modify FISA to equip our intelligence community with the tools we need to protect our Nation.

This is an individual who has a 30-year career in this business. He served President Clinton; he's serving President Bush, but most importantly, it is